IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

WP(C).No. 36573 of 2007(D)

PETITIONER:

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1. K.R.ARAVINDAKSHAN,
   SLR WORKER, PVIP SECTION 1/1, BHOOTHATHANKETTU.

2. P.VINAYAN,
   SLR WORKER, PVIP SECTION 1/1, BHOOTHATHANKETTU.

3. A.K.RAJAN,
   SLR WORKER, PVIP SECTION 4/1, BHOOTHATHANKETTU.

4. P.P.BABY VARGHESE,
   SLR WORKER, PVIP SECTION 1/1, BHOOTHATHANKETTU.

5. M.B.MOHANACHANDRAMENON,
   SLR WORKER, PVIP SECTION 1/1, BHOOTHATHANKETTU.

6. M.K.NARAYANI,
   SLR WORKER, PVIP SECTION 4/1, BHOOTHATHANKETTU.

7. P.P.ELDHOSE,
   SLR WORKER, PVIP SECTION 4/1, BHOOTHATHANKETTU.

8. M.K.NARAYANAN,
   SLR WORKER, PVIP SECTION 1/1, BHOOTHATHANKETTU.

9. P.M.KASSIM,
   SLR WORKER, PVIP SECTION 3/1, BHOOTHATHANKETTU.

10. P.K.PAREETH,
    SLR WORKER, PVIP SECTION 1/1, BHOOTHATHANKETTU.

11. N.RAVINDRANADHAN NAIR,
    SLR WORKER, PVIP SECTION 3/1, BHOOTHATHANKETTU.

12. M.K.CHELLAPPAN,
    SLR WORKER, PVIP SECTION 2/3, BHOOTHATHANKETTU.

13. V.S.SUSEELA,
    SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

14. K.K.SAUDAMANI,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

15. A.B.PADMAVATHY,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

16. T.GOPINATHAN,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

17. LEELA,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

18. M.J.VARGHESE,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

19. VALSA P.M.,
SLR WORKER, PVIP SECTION 2/2, PERUMBAVOOR.

20. V.A.KUMARAN,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

21. M.A.THANKAPPAN,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

22. P.K.SARASAN,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

23. P.M.ABDUL LATHIF,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

24. N.GANESAN,
SLR WORKER, PVIP SECTION 2/2, PERUMBAVOOR.

25. K.C.VARKEY,
SLR WORKER, PVIP SECTION 1/2, PERUMBAVOOR.

26. P.U.VARKEY,
SLR WORKER, N.H.SECTION NO.1, KOTHAMANGALAM.

BY ADV. SRI.ASOK M.CHERIAN

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY TO GOVERNMENT,
PUBLIC WORKS (B) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER,
P.W.D. ADMINISTRATION, THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
PERIYAR VALLEY IRRIGATION PROJECT, DIVISION NO.1,
PERUMBAVOOR.

4. THE ASSISTANT EXECUTIVE ENGINEER,
PERIYAR VALLEY IRRIGATION PROJECT, SUB DIVISION
NO.1, BHOOTHATHANKETTU.

5. THE ASSISTANT EXECUTIVE ENGINEER,
PERIYAR VALLEY IRRIGATION PROJECT,
SUB DIVISION NO.2, PERUMBAVOOR.

BY GOVERNMENT PLEADER SRI. BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J

W.P.(C).36573/2007

Dated this the 17th day of December, 2007

JUDGMENT

Petitioners are Seasonal Labour Roll Workers in the Irrigation Department. Finding that the duties discharged by them are similar to the Last Grade employees, by Exts.P2 and P3 orders, their pay was revised and fixation was made on a par with Last Grade Employees, according to them. But later, misconstruing Ext.P4 order, fixation under Ext.P3 has been revised as evidenced by Ext.P5, it is contended by the petitioners. Petitioners contend that re-fixation effected under Ext.P5 is wrong and at any rate, it is unauthorized for the Assistant Executive Engineer to do so.

2. In my view, in the light of Ext.P2 order and Ext.P3 fixation, it is appropriate that the Government looks into petitioners' claim and takes a decision.

3. In the result, writ petition is disposed of directing the petitioners to approach the Government, first respondent,

with suitable representation indicating these aspects within one month from today. If it is so filed, first respondent shall hear one among the petitioners and take a decision within three months thereafter. Till such decision is taken, there shall be no reduction of wages pursuant to Ext.P5 and similar orders.

V.GIRI,
Judge

mrcs